

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
LUFKIN DIVISION

SHANNON WILLIAMS,

Plaintiff,

v.

THE CITY OF NACOGDOCHES, TEXAS,
ITS FORMER POLICE OFFICER JOSH
ANDERSON, and THE OVERLOOK AT
NACOGDOCHES, APARTMENT
COMPLEX,

Defendants.

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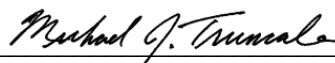
CIVIL ACTION NO. 9:21-CV-00071-MJT
JUDGE MICHAEL J. TRUNCALÉ

ORDER ADOPTING REPORT AND RECOMMENDATION

On November 18, 2022, the Court referred this case to United States Magistrate Judge Zack Hawthorn for pretrial management. [Dkt. 102]. Pending is Defendant Josh Anders' Motion to Dismiss Claims Against Him Due to Plaintiff's Failure to State a Claim. [Dkt. 112]. On May 24, 2023, Judge Hawthorn issued his Report and Recommendation, recommending granting Anders' pending Motion to Dismiss. [Dkt. 131]. The parties have not filed objections to the report and recommendation, and the time for doing so has passed. *See* 28 U.S.C. § 636(b)(1).

It is therefore **ORDERED** that Judge Hawthorn's Report and Recommendation Granting Defendant Josh Anders' Motion to Dismiss [Dkt. 131] is **ACCEPTED**. Plaintiff Shannon Williams' claims against Defendant Anders pursuant to the Fourteenth Amendment and the common law tort of assault are therefore **DISMISSED WITH PREJUDICE**. Plaintiff Shannon Williams' claim against Defendant Josh Anders brought under 42 U.S.C. § 1983 for the constitutional violation of her Fourth Amendment rights remains active in this litigation.

SIGNED this 21st day of June, 2023.



Michael J. Truncalé
United States District Judge